

1 did.

2 DEPUTY COMMISSIONER BENTLEY: Okay, all
3 right. Ah, have you learned the steps?

4 INMATE PATTERSON: Yes, I have.

5 DEPUTY COMMISSIONER BENTLEY: Okay, and
6 which ones do you practice?

7 INMATE PATTERSON: Well one -- four was
8 our -- our -- our, you know, our personal
9 inventory and then step ten is to continue that,
10 ah. And I think that that's the most important
11 two steps, is to continually take your inventory
12 of yourself and to keep checking yourself and to
13 see if you're falling back into any type of
14 these behaviors that could lead to addiction or
15 relapse and so, I think Step four and Step ten
16 are the two most important steps. You know, you
17 have -- you have a lot of great steps, eight and
18 nine, is the amend steps and you -- along the
19 way when you do drugs ah, you understand that
20 you've do hurt a lot of people, and so -- and
21 sometimes, they're your children and they're
22 your family members and they might not even
23 realize it, but, so those steps are important
24 to, but I think four and ten.

25 DEPUTY COMMISSIONER BENTLEY: And let's
26 see, I noticed ah, back in November of last
27 year, you took -- I don't know what -- was it a

1 video program -- that job success?

2 INMATE PATTERSON: No, no, it wasn't --
3 actually it was on the TV, but it was -- they
4 gave us pamphlets and books.

5 DEPUTY COMMISSIONER BENTLEY: Oh, okay.

6 INMATE PATTERSON: And information
7 packets to fill out -- it was Transitions, Job
8 Success.

9 DEPUTY COMMISSIONER BENTLEY: Okay. And
10 then you've given me a chrono that -- the one
11 you haven't gotten to here

12 INMATE PATTERSON: No, I -- yeah, I
13 didn't get those until yesterday.

14 DEPUTY COMMISSIONER BENTLEY: And they
15 said that -- that you've completed Economic
16 Education for Consumers, a two semester long
17 Business Education in Self-Study Course for
18 Self-Improvement and you earned an A each
19 semester. Ah, and now you've been pre-enrolled
20 in Business Math.

21 INMATE PATTERSON: Yes, I have.

22 DEPUTY COMMISSIONER BENTLEY: Okay. And
23 do you have to pay for this?

24 INMATE PATTERSON: No, no, this is
25 actually provided to students.

26 DEPUTY COMMISSIONER BENTLEY: Oh, okay.
27 This is signed by J. Kingston, the Academic

1 Instructor. And then we have a certificate of
2 completion in Alternatives to Violence Project,
3 and you've completed the Basic Course in Non-
4 Violent Conflict Resolution. And this was just
5 dated August 1st, of 2006.

6 INMATE PATTERSON: Last two days, 12
7 hours a day.

8 DEPUTY COMMISSIONER BENTLEY: You brought
9 that in there and you requested that you get
10 these back so I'm going --

11 INMATE PATTERSON: Yes.

12 DEPUTY COMMISSIONER BENTLEY: -- to give
13 them back to you right. So they don't get mixed
14 up with my paperwork. Okay, and I noticed
15 you're on the waiting list for Anger Management
16 and Cage Your Rage?

17 INMATE PATTERSON: I was -- I tried get
18 into Cage Your Rage but ah, but Cage of Rage is
19 for Triple CMS inmates who are currently taking
20 psychotropic or part of the Triple CMS program.
21 I'm not, so I was, of course, denied access to
22 the program, but I -- I have been attending or
23 just recently finished the Advance Anger
24 Management Course -- the Dr. Rothschoft.

25 DEPUTY COMMISSIONER BENTLEY: Oh, okay.
26 That wasn't in --

27 INMATE PATTERSON: That was a typo by the

1 Counsel, I had mentioned to the Counselor, that
2 I had received notice that I was on the waiting
3 list, however, ah --

4 DEPUTY COMMISSIONER BENTLEY: Oh, no I
5 didn't take it from the Counselor's Report, I
6 took it from the chrono in the file.

7 INMATE PATTERSON: Okay, yeah.

8 DEPUTY COMMISSIONER BENTLEY: The chrono
9 that you -- that was probably the time that --
10 there wasn't anything more current than that.
11 So you did get into that program?

12 INMATE PATTERSON: Yes, I was in it and
13 now since it's ended, we're suppose to be
14 getting chronos for that, so -- completion.

15 DEPUTY COMMISSIONER BENTLEY: Okay, I
16 know they're slow to get into the file.

17 INMATE PATTERSON: Yeah.

18 DEPUTY COMMISSIONER BENTLEY: Okay, and
19 so what do you -- what else do you do in your
20 spare time, it sounds like you keep pretty busy.

21 INMATE PATTERSON: I, yeah, I keep pretty
22 busy. But since ah, since my last hearing,
23 there was -- you've mentioned a couple of the
24 things, I also did a FEMA, Homeland Security
25 course, ah, I took an Anger Management course
26 through the Chapel and I took a Fatherhood and
27 Anger Management Course, also through the

1 Chapel. This were done on 12-3-04 and 1-5-05, I
2 was taking them simultaneously, so that's why
3 the chronos are so close together. I also
4 participated in Dr. Thomas Gordon's Family
5 Effectiveness Training and that was also an
6 anger management course. And then, the others
7 that you mentioned first and currently two more
8 years of AA since the last. I keep myself busy
9 with these programs.

10 DEPUTY COMMISSIONER BENTLEY: Must be you
11 take advantage of any program that --

12 INMATE PATTERSON: Yes, I do.

13 DEPUTY COMMISSIONER BENTLEY: Okay, all
14 right, what else you do on your spare time? You
15 get any visits here?

16 INMATE PATTERSON: No, I don't. My
17 family -- my father's getting old and he's going
18 through surgery after surgery right now, I'm
19 praying for him, I'm hoping he's going to be
20 okay. He just had his gallbladder removed. Ah,
21 and everybody lives down in Orange County area,
22 so, it's -- the rest of my family, my son and
23 daughter and so I don't get visits but, my day's
24 taken up through in the morning, I try to go out
25 and continue an exercise program, where I'm
26 getting fresh air and participation in the yard
27 and in the afternoon, at 2:30, I go to work and

1 I work until 9:00 o'clock at night. So my day,
2 I get that little window in the afternoon, where
3 I study my college courses, I just started
4 Business Math, as the chrono said.

5 DEPUTY COMMISSIONER BENTLEY: Okay.
6 Okay, anything else you want to tell me about
7 what you've been doing?

8 INMATE PATTERSON: No, that's ah, that's
9 pretty much it..

10 DEPUTY COMMISSIONER BENTLEY: Well, you
11 are keeping really busy. We just got -- did
12 you get your Psychological Report?

13 INMATE PATTERSON: Yes, I did.

14 DEPUTY COMMISSIONER BENTLEY: Okay,
15 because we -- we just got it this morning, and
16 this was done by Lance Courtenoff, and he goes
17 through your diagnostic impression and he has
18 your poly-substance abuse and remission in a
19 control -- controlled environment. And he gives
20 your Axis Five and GAF Score of 90. He goes in
21 and talks quite a bit, because you know, there
22 was this situation where, it was considered that
23 you may have been manic-depressive or bi-polar
24 and all this stuff, and I think as in the
25 psychological reports, they've kind of addressed
26 as really being the problem with the illicit
27 substances.

1 INMATE PATTERSON: Yes.

2 DEPUTY COMMISSIONER BENTLEY: That it
3 wasn't really your mental condition, per se, it
4 was what you were doing to yourself that was
5 creating the mental condition.

6 INMATE PATTERSON: Sure.

7 DEPUTY COMMISSIONER BENTLEY: And they
8 said that since you've discontinued any illicit
9 substances, ah, that has been rescinded, any of
10 those diagnoses. Ah, because I don't think you
11 ever were in any kind of mental health program
12 in the prisons, right?

13 INMATE PATTERSON: No, no.

14 DEPUTY COMMISSIONER BENTLEY: And he
15 talked about your participation in AA and NA,
16 and that you haven't received any diciplinarities
17 for substance abuse, and he says that you
18 describe a one time addiction to cocaine and
19 methamphetamines as stemming from the energy and
20 sense of well-being that they gave you. Ah,
21 then after the commitment offense, you realized
22 that there was during the effect to that. Then
23 he goes through and the reviews of the life
24 crime ah, with you and then talk about your
25 parole plans which Commissioner Bryson will be
26 talking about ah, let me see, but it talks about
27 remorse, that your attitude does not suggest

1 continued hostility or debasement toward the
2 victim. You state that prior to the crime, you
3 admired Mr. Mabry and looking back still does as
4 being a professional on his job. He
5 acknowledges that Mr. Mabry didn't deserve to be
6 shot and he's sorry for not only shooting him,
7 but the chronic fear that he instilled in him
8 all these years. Under assessment of
9 dangerousness, it says in control setting and
10 violence potential is nil. And you have not
11 demonstrated any aggressive behavior over your
12 16 years of incarceration. And he says the
13 significant risk factors that applied at the
14 time of the commitment offense were a continued
15 pattern of heavy illicit substance abuse, which
16 caused secondary and major mood disorders, which
17 was in turn accelerated by the mixture of
18 prescriptions, psychotropic leading to
19 chronically, averment mental state. And you
20 know you're really fortunate because sadly, I've
21 seen some of these guys that have been on meth
22 quite a while, and those mental disorders become
23 permanent.

24 **INMATE PATTERSON:** Yes.

25 **DEPUTY COMMISSIONER BENTLEY:** Regardless
26 of whether they're on or off, they've been off
27 the drug for some time and they're -- and ah, he

1 talked about how your were using
2 methamphetamines prior to the ah, commitment
3 offense and you're no longer using drugs. It
4 says based on the (indiscernible) offense has
5 been lax -- lack of subsequent aggressive
6 behavior, seems clear that the commitment
7 offense was not the product of a habitually
8 aggressive, criminally, oriented individual, but
9 rather an aberration, secondary to substance
10 abuse. Says, therefore, taken with clinical
11 data, this suggests that violence potential at
12 the current time if paroled to the community
13 would as mid to low, in comparison with the
14 average inmate. And then of course assuming
15 continued absence from alcohol and illicit drugs
16 (indiscernible).

17 INMATE PATTERSON: Sure.

18 DEPUTY COMMISSIONER BENTLEY: And he
19 recommends you continue with the AA and NA
20 program. So overall, pretty positive report.
21 So, I return to the Chair.

22 PRESIDING COMMISSIONER BRYSON: What
23 would be your parole plan for residence should
24 you obtain ah, a parole date?

25 INMATE PATTERSON: Well, my primary
26 parole plan, and -- and I hope that happens, is
27 to go to U-Turn for Christ, down in Paris,

1 California and they've sent letters the last
2 three hearings, ah, stating that they are
3 willing to accept me. My friends, Lance and
4 Carol Smith, who now live in Los Vegas, have
5 called them and told them they would secure the
6 \$800.00 but they told me, I don't really need
7 it, all I need to do is get my gate money to get
8 there.

9 PRESIDING COMMISSIONER BRYSON: In fact,
10 I believe we have a letter saying --

11 INMATE PATTERSON: Yeah they've --

12 PRESIDING COMMISSIONER BRYSON: -- to
13 that effect.

14 INMATE PATTERSON: -- yeah, they've sent
15 it.

16 PRESIDING COMMISSIONER BRYSON: Okay. I
17 will be going through all these letters ah, --

18 INMATE PATTERSON: Sure.

19 PRESIDING COMMISSIONER BRYSON: Okay, and
20 ah, that certainly sounds like a wise plan
21 actually. And U-Turn for Christ would be down in
22 Orange County somewhere?

23 INMATE PATTERSON: No, no it's actually
24 in Riverside County, where -- my county of last
25 residence.

26 PRESIDING COMMISSIONER BRYSON: Okay, all
27 right. Ah, let me point out May 16th, 2006, we

1 do have a letter from a Sarah L. Box, last is
2 B-O-X, from the U-Turn -- she's Administrative
3 Assistant at the U-Turn for Christ Program and
4 that's the letter U-Turn for Christ.

5 INMATE PATTERSON: Yes.

6 PRESIDING COMMISSIONER BRYSON: Ah, and
7 she ah, says, we require, hum, all court
8 appointed residents to complete both phases of
9 the program. Hum, requesting your office and
10 the court mandate the same, thereby, making
11 their time in the ministry a total of eight
12 months. Hum, and we accommodate any additional
13 time for growth, okay.

14 INMATE PATTERSON: And my contact with
15 them was to spend at least one year and
16 hopefully to ah, actually obtain employment
17 there as a -- as a counselor.

18 PRESIDING COMMISSIONER BRYSON: I see.

19 INMATE PATTERSON: Yeah.

20 PRESIDING COMMISSIONER BRYSON: Okay, and
21 then the following, this is dated the same, so
22 the same letterhead from the same individual,
23 but the following page ah, says that ah, this is
24 an eighth month ah, two months phase one, six
25 months in phase two, residential program
26 survives strictly by private donations of
27 individuals such as you. We're not government

1 or state funded, nor do we put you on any sort
2 of government aid while you are here. Ah, we
3 keep our doors open, I ask an \$800.00 donation,
4 and she says, we know that individual such as
5 yourself, just coming out of prison, can not
6 afford the \$800.00 donation we ask for, so we
7 ask that you just bring us your gate money, less
8 your bus fare to Paris, California. All right.
9 Hum, how does that work? Did you just write
10 them or how did you strike up --

11 INMATE PATTERSON: Ah, actually no, my
12 friends, their from Calvary Chapels and this is
13 in Calvary Chapels and I heard about this
14 program, so --

15 PRESIDING COMMISSIONER BRYSON: Oh, I
16 see, okay.

17 INMATE PATTERSON: First I inquired and--

18 PRESIDING COMMISSIONER BRYSON: That's
19 great. So, and they would -- this program would
20 also cover your transitioning for example AA,
21 NA, that kind of involvement.

22 INMATE PATTERSON: Yeah, yeah, they have
23 counseling programs there, but once I'm able to
24 leave then --

25 PRESIDING COMMISSIONER BRYSON: Right,
26 all right, okay. Ah, and here's a letter from
27 the ah, Marian Ashley, A-S-H-L-E-Y, the District

1 -- 5th District Supervisor of the County of
2 Riverside, this is a -- this is April 15th,
3 2004.

4 INMATE PATTERSON: But --

5 PRESIDING COMMISSIONER BRYSON: I'm
6 sorry, we have older letters that I'm not going
7 to go through, but we do have a mixture and
8 which I think sorted out of older and more
9 recent letters.

10 INMATE PATTERSON: I can explain those.
11 This were all letter that they got from these
12 people to show that that's a good program --

13 PRESIDING COMMISSIONER BRYSON: I see.

14 INMATE PATTERSON: -- and they attached
15 them to their letter to the Council, they didn't
16 send me these.

17 PRESIDING COMMISSIONER BRYSON: Okay.

18 INMATE PATTERSON: My Counsel gave me a
19 copy, so they're kinda redundant but --

20 PRESIDING COMMISSIONER BRYSON: I see.

21 INMATE PATTERSON: --they were just
22 trying to -- they've sent letters three times,
23 and I think that they, through my last letter to
24 them, they seemed a little frustrated or
25 something, and I think they think when they
26 write a letter that we're just suppose to show
27 up, you know, they expect a date to be given or

1 something, so I think they attached this to
2 affirm their program.

3 **PRESIDING COMMISSIONER BRYSON:** Thank
4 you, that makes sense. Okay. We also have an
5 April 27th, 2006 letter from Timothy W. Archer,
6 the owner of Country Side Homes, that are
7 builder of custom homes ah, he says, I
8 understand from my neighbor, Kenneth Patterson,
9 that's your father, is that correct?

10 **INMATE PATTERSON:** Yes.

11 **PRESIDING COMMISSIONER BRYSON:** That his
12 son is due for parole ah, I also understand ah,
13 Jody has past experience in most phases of home
14 building, plus he reads, understands plans and
15 specifications. I'm a builder of custom homes
16 and could always find a place for a person with
17 those qualifications in my crew. Now, so
18 recognizing your experience, in that area, and
19 also, myself being a little bit familiar with --
20 with home building, ah, clearly that -- that
21 lifestyle still involves the use of drugs by a
22 lot of people who are in that industry and so,
23 obviously, is that something you thought about?
24 Going right back into work that -- where workers
25 are potentially using drugs.

26 **INMATE PATTERSON:** I guess that could
27 always be a concern but when I was out there

1 using drugs on the jobsite, there were lots of
2 people around me who didn't, and they ah, and I
3 even knew people who were recovering alcoholics
4 and addicts, back then and they didn't use, I
5 mean, --

6 PRESIDING COMMISSIONER BRYSON: Okay.

7 INMATE PATTERSON: -- it's a
8 determination for you not to use and that's --
9 that's my determination. So I don't care if you
10 covered this table in drugs right now, it's just
11 not my thing anymore. And so I'm not -- not
12 worried about, but it's always a conscious
13 thought, that you've got to keep that in the
14 back of your mind. If, you know, they say, once
15 an addict, always an addict. And that's the
16 mentality you have to have, and so, yeah, I --
17 you -- it's going to be around if I worked in
18 construction or if I worked in an office
19 building, you know, there's people in office
20 buildings that do drugs to. It's just if you
21 allow yourself to follow that person to their
22 home, and you want to start partying with them
23 at the bars and all that thing, ah, you're going
24 to end up in the same type of lifestyle that
25 they're in, and maybe some place like this so.

26 PRESIDING COMMISSIONER BRYSON: Okay, ah,
27 we have a letter from Robert Rubacalva, your

1 brother-in-law?

2 INMATE PATTERSON: Yeah, that's my
3 brother-in-law.

4 PRESIDING COMMISSIONER BRYSON: Okay, ah,
5 again he writes a very supportive letter that's
6 dated April 2nd, 2006. Ah, we have a letter of
7 support from Lance Smith, ah, who's known you
8 for nine years and he says his wife introduced
9 you. Ah, he said they'd be glad to offer their
10 home to you, while you get your feet on the
11 ground. We have a letter from a friend, for 15
12 years, hum, and this is --

13 INMATE PATTERSON: Monica?

14 PRESIDING COMMISSIONER BRYSON: I believe
15 so, Dournish?

16 INMATE PATTERSON: Yeah.

17 PRESIDING COMMISSIONER BRYSON: Okay, and
18 who is that person?

19 INMATE PATTERSON: That's ah, Carol's
20 daughter, that's Lance's step-daughter. The
21 letter you just read.

22 PRESIDING COMMISSIONER BRYSON: That's a
23 good letter of support. We also have ah,
24 basically a job offer, but I believe it's in
25 Nevada.

26 INMATE PATTERSON: Yeah.

27 PRESIDING COMMISSIONER BRYSON: Leroy

1 Papkey?

2 INMATE PATTERSON: Yeah, that's Lance's,
3 I mean ah, well that's actually almost Lance's
4 step-son, because he's ah, engaged to Monica.

5 PRESIDING COMMISSIONER BRYSON: I see.

6 INMATE PATTERSON: And he heard that it,
7 you know, that I could use a job offer and he's
8 a Manager at ah, ah, -- I don't know, at some
9 kind of Tire Company or --

10 PRESIDING COMMISSIONER BRYSON: Yes, yes
11 it's --

12 INMATE PATTERSON: -- gas station.

13 PRESIDING COMMISSIONER BRYSON: -- called
14 (indiscernible) Brakes.

15 INMATE PATTERSON: Yeah, okay, yeah,
16 yeah, brake company.

17 PRESIDING COMMISSIONER BRYSON: Okay.

18 INMATE PATTERSON: Just an offer and he
19 just through it out there.

20 PRESIDING COMMISSIONER BRYSON: That's
21 very nice. All right. Ah, then we have a
22 letter from Carolina N. Smith, who I believe is
23 the wife of Lance. Is that correct?

24 INMATE PATTERSON: Yes.

25 PRESIDING COMMISSIONER BRYSON: Okay, and
26 that's also a support letter.

27 INMATE PATTERSON: Yeah, she used to be

1 my fiancée.

2 PRESIDING COMMISSIONER BRYSON: That's
3 what I understand from the letter.

4 INMATE PATTERSON: Yes.

5 PRESIDING COMMISSIONER BRYSON: Okay.

6 Ah, then we have a support from Joseph
7 Stevenson.

8 INMATE PATTERSON: Yeah.

9 PRESIDING COMMISSIONER BRYSON: And he
10 says he met you through his mother when he was
11 eight years old and so he -- but he does say
12 that you remain one of the only father figures
13 in his life. So that's quite a testament and he
14 goes into that -- he says ah, you've been --
15 you've kept him optimistic and you've ah, -- he
16 says I have a steady job going on for four years
17 now and I get to coach kids wrestling, which has
18 always been my dream. And he says that you're
19 the in source of inspiration in his life.

20 That's a very good support letter.

21 INMATE PATTERSON: Yeah, but I'm
22 responsible for his ah, ultimate fighting
23 adventures. He's ah, welterweight champion in
24 Ultimate Fighting right now, out there in Vegas.
25 So, and he did that in his own.

26 PRESIDING COMMISSIONER BRYSON: Did that
27 on his own, good. Ah, I believe, hold up, I

1 have something in the letter or two here -- I
2 had a few things in transition here ah, did I
3 mention the letter from your daughter?

4 INMATE PATTERSON: No.

5 PRESIDING COMMISSIONER BRYSON: That's
6 from April Patterson.

7 INMATE PATTERSON: Yeah.

8 PRESIDING COMMISSIONER BRYSON: Okay.

9 And again, she gives you ah, she says, she can't
10 offer a home or money but she can -- she's
11 offering to be your daughter once again. I
12 think that says quite a lot. Hum, we have Darcy
13 and Kimberly Kinito?

14 INMATE PATTERSON: Coniato.

15 PRESIDING COMMISSIONER BRYSON: Coniato,
16 thank you.

17 INMATE PATTERSON: That's my nieces.

18 PRESIDING COMMISSIONER BRYSON: That's --
19 okay, in Wellsville, New York.

20 INMATE PATTERSON: Yes.

21 PRESIDING COMMISSIONER BRYSON: All
22 right, hum, a very nice --

23 INMATE PATTERSON: I didn't get that
24 letter but I got a letter stating that they sent
25 it, so I didn't get a copy of that one.

26 PRESIDING COMMISSIONER BRYSON: All
27 right, well, let's give it to you then, you can

1 get copies made and then you'll have the
2 original.

3 INMATE PATTERSON: Thank you.

4 PRESIDING COMMISSIONER BRYSON: That --
5 that would be the important thing to do there.
6 Okay. You do have a copy of the letter from
7 your daughter, do you?

8 INMATE PATTERSON: Yes.

9 PRESIDING COMMISSIONER BRYSON: Okay, all
10 right.

11 INMATE PATTERSON: Should be a letter in
12 there from my father to.

13 PRESIDING COMMISSIONER BRYSON: All
14 right, that's the next one.

15 INMATE PATTERSON: Oh, okay.

16 PRESIDING COMMISSIONER BRYSON: Yeah, and
17 this is dated June 17th, 2006 from Kenneth E.
18 Patterson in Wildomar, and he says, to re-affirm
19 my intentions to support my son Jody, if and
20 when he's paroled I'll assist him to the best of
21 my ability in getting employment,
22 transportation, housing or whatever he needs.
23 Ah, and he says that I'm not doctoring Jody's
24 actions, but I'm stating that keeping
25 incarcerated longer than he already has been, is
26 in my opinion counter-productive. All right,
27 Counsel, did I cover everything as far as you

1 know?

2 ATTORNEY HALL: Yes, I think so.

3 PRESIDING COMMISSIONER BRYSON: All

4 right, we sent out 3042 notices, as notices go

5 to agencies having a direct interest in your

6 case. We have a representative of the Orange

7 County District Attorney's Office present who

8 will have the opportunity to make a statement

9 regarding parole suitability prior to the

10 conclusion of this hearing. Commissioner

11 Bentley, you have any questions of the inmate?

12 DEPUTY COMMISSIONER BENTLEY: No, I

13 don't.

14 PRESIDING COMMISSIONER BRYSON: All

15 right. Does the District Attorney of this

16 inmate?

17 DEPUTY DISTRICT ATTORNEY CHRISOPOULOS: I

18 have a few questions.

19 PRESIDING COMMISSIONER BRYSON: Okay.

20 DEPUTY DISTRICT ATTORNEY CHRISOPOULOS:

21 One of the things the inmate talked about in

22 relation to the 2004 disciplinary write up, is

23 about the work refusal to pass out food and he

24 mentions "there's a group of us white inmates

25 who came to that decision" -- what I would like

26 to know is since he's been incarcerated has the

27 inmate joined any Arian Brotherhood or other

1 white supremacists type gangs?

2 INMATE PATTERSON: No, I have not.

3 DEPUTY DISTRICT ATTORNEY CHRISOPOULOS:

4 Does the inmate, if the Commissioner could
5 follow up with this, does the inmate have any
6 prison tattoos with the words "white pride" on
7 him?

8 INMATE PATTERSON: Yes, I do, I have
9 white pride on my back arms.

10 DEPUTY DISTRICT ATTORNEY CHRISOPOULOS:

11 And may the Commissioner ask, why he got those
12 tattoos and what those mean?

13 PRESIDING COMMISSIONER BRYSON: Yes, and
14 I have that question to.

15 INMATE PATTERSON: Yeah, when I first
16 came to prison, they had ah, -- they have all
17 these different groups of people and you could
18 be the white power or the Arian Brotherhood or
19 these different gangs, that peop -- that were in
20 prison and -- or we had options is -- you know,
21 I just coming in and you could just say you were
22 proud to be white, and that's all white pride
23 is, is not part of any kind of prison gang.
24 White power, Neo-Nazi skinhead or all them
25 groups, the Arian Brotherhood, those are the
26 prison gangs. I put those words on my back arms
27 and -- and now, in reflection 16 years later, I

1 guess I wouldn't have, but you know, it's just
2 that all it was is a statement that I was proud
3 to be white.

4 PRESIDING COMMISSIONER BRYSON: So you
5 chose to have the tattooing done. That's not
6 something that -- that was part of the culture
7 that you had to do, is that correct?

8 INMATE PATTERSON: Yeah, yeah, I made
9 that -- I made that decision, I mean, I already
10 had tattoos when I came to prison --

11 PRESIDING COMMISSIONER BRYSON: Aha.

12 INMATE PATTERSON: And so when that
13 suggestion was made to me, you know, I was just
14 coming in, I'd -- you know, I was real
15 susceptible to ah, you know, what was going on
16 in the prison system and how am I suppose to do
17 things and where am I suppose to go and what do
18 I -- how do I dress to chow, you know. So
19 everything, all those decisions, people were
20 telling me how you're suppose to act and so
21 yeah, way back then, I ah, I made decisions like
22 that. Put white pride on my back arms, but I
23 never did join any gangs. The only gang I'm
24 part of is I'm a Christian, so.

25 PRESIDING COMMISSIONER BRYSON: You
26 understand the importance of the 115, though.

27 INMATE PATTERSON: Yes.

1 **PRESIDING COMMISSIONER BRYSON:** Okay.

2 Did you -- and I understand -- we know what
3 it's like inside, okay, so, that's not a myth,
4 but did you fear for your life, for your very
5 life, if you didn't hang with the rest of them
6 in this -- in this --

7 **INMATE PATTERSON:** You know, this was
8 north facility, I don't know what you know about
9 North, right now? I was over there back in the
10 '90, it was real common and nobody would've been
11 in fear of anything then, you know. And all
12 everybody did then was feed the cats, but this
13 new ah, north facility when they turned it to
14 level three, yes, there was ah, there was a
15 level three element to that yard and they --
16 they, you know, I just got moved over there and
17 this is what they said, I became a porter, and
18 these guys met this big group and they have
19 their shot callers and the shot callers are
20 saying we don't do this no more and everybody
21 said, we don't do it, so, I just couldn't do it.
22 I mean, I don't know whether, I'd of got killed
23 or just -- or stabbed, maybe I'd of had -- you
24 know, got attacked or jumped, I didn't know.

25 **PRESIDING COMMISSIONER BRYSON:** Did you
26 know how important it is to stay discipline
27 free, as we say?

1 INMATE PATTERSON: Yes, I do.

2 PRESIDING COMMISSIONER BRYSON: If you're
3 going to get out of here.

4 INMATE PATTERSON: Yeah, I hate getting
5 those -- and you know, that's a stupid 115. You
6 know, I hated getting that 115, when I went in
7 to see the -- the Lieutenant that heard it, and
8 he said, I'm going to just -- I'm going to drop
9 this down to an administrative counsel and
10 reprimand it. He said, 'cause he understood
11 what was going on. I didn't like getting that,
12 I -- I even tried to talk to my boss and tell
13 him, look, I -- I clearly would prefer not to
14 get this 115, but he had several whites, that
15 didn't feed this -- you know, help with the
16 trays, I was a porter, I -- I did offer to come
17 out and sweep, they didn't say nothing against
18 that, but ah, ah, you just couldn't help feed
19 the trays, cause that's assisting the officers.
20 So it was several whites that got 115s that day,
21 so he couldn't just make an exception for me, so
22 I had to take the 115.

23 DEPUTY DISTRICT ATTORNEY CHRISOPOULOS:

24 The next question I have is, as far as the
25 commitment offense, without talking about it, if
26 the Commissioner could ask, if the inmate puts
27 blame for the commitment offense on his drug use

1 at that time?

2 **INMATE PATTERSON:** No, because ah, no one
3 ah, ah, told me to use drugs. I chose to make
4 that decision. Sometimes we have to take
5 ownership, of the mistakes we make in life, and
6 one of those things that was my decision to use
7 drugs, in the face of, all my loved ones,
8 telling me not to. So I take full
9 responsibility for that action, and it wasn't
10 drugs, you know, we can have excuses and I'll
11 always say, yeah, hadn't I been under the
12 influence of drugs, I probably wouldn't have
13 done it, but because I was under the influence
14 of drugs, that was my decision to do the drugs,
15 therefore, I'm responsible for any action that
16 occurred after the use of the drugs, so, I take
17 full responsibility for this crime.

18 **DEPUTY DISTRICT ATTORNEY CHRISOPOULOS:**
19 The next question I have is, prior to the
20 commitment offense, it appears that the inmate
21 was on pres --

22 **PRESIDING COMMISSIONER BRYSON:** Okay,
23 this is side two in the Subsequent Parole
24 Consideration Hearing for Jody Patterson, CDC
25 Number E-88649.

26 **DEPUTY DISTRICT ATTORNEY CHRISOPOULOS:**
27 Okay, the next question I have is, it appears

1 prior to the commitment offense, the inmate was
2 taking prescription medication, anti-
3 depressants. What I would like the inmate to
4 answer is, at some point before the commitment
5 offense occurred did he stop taking this anti-
6 depressant medication?

7 INMATE PATTERSON: Yes I did.

8 DEPUTY DISTRICT ATTORNEY CHRISOPOULOS:
9 And how much before?

10 INMATE PATTERSON: Actually, I was
11 messing with it, taking it on and off for
12 probably a month or so before, but I believe --
13 and I'm thinking back now, it was a couple of
14 weeks. A couple weeks prior to the -- I'm not --
15 - I -- I don't really -- sure, but there was a
16 time -- a period of time there, between two
17 weeks, a month or something, that I'd just stop
18 taking it and then I would take it, a day or two
19 and then -- I didn't like the way it made me
20 feel, so I wouldn't take it.

21 DEPUTY DISTRICT ATTORNEY CHRISOPOULOS:
22 Next question I have, if the Commissioner could
23 ask, does this inmate feel that he received a
24 fair jury trial?

25 INMATE PATTERSON: Yes.

26 DEPUTY DISTRICT ATTORNEY CHRISOPOULOS:
27 And finally, I would just like to know if the

1 inmate attends any sort of church on a regular
2 basis. I know he spoke about connections with
3 Calvary Church. I would like to know any sort
4 of church he attends here, if at all.

5 INMATE PATTERSON: Yes, I do. Every
6 Saturday, I go -- it's 1:30 in the afternoon ah,
7 I also do my in-cell bible studies, I'm
8 participating in a bible study group on Tuesday,
9 and we have a gathering, a group on Sunday
10 afternoon, out in the yard.

11 DEPUTY DISTRICT ATTORNEY CHRISOPOULOS: I
12 have no other questions for this inmate.

13 PRESIDING COMMISSIONER BRYSON: Counsel,
14 you have questions for the inmate?

15 ATTORNEY HALL: Yes, thank you. Mr.
16 Patterson, could you tell the Panel how you feel
17 you've benefited from the various anger
18 management courses you've taken?

19 INMATE PATTERSON: Yeah, I mean ah, one
20 is it's anger management. A lot of people have
21 this ah, feeling that anger is a bad thing, I
22 think anger can also be a passion. It's just
23 how you control it. If you allow it to ah, to
24 ah, blow up in your face and you -- and ah, you
25 can react but, I -- I think the anger management
26 courses that we take, especially the one that I
27 just attended, the last two days ah, teaches us

1 that ah, there's reactions and -- are just you
2 know, are figments of our imagination. We ah,
3 we over-react, if we would stop, take a breath,
4 think, instead of just re-acting, spur of the
5 moment, sometimes it's a matter of listening to
6 people, or listening to your own self, but you
7 know, sometimes we go against our own advice,
8 so, anger management courses just bring that to
9 light and keep that in the forefront in your
10 mind, and so you practice this.

11 **ATTORNEY HALL:** How do you feel about
12 what you did to Mr. Mabry?

13 **INMATE PATTERSON:** I ah, like I said
14 earlier to you ah, that you know, it's one of
15 those things you wish you could turn back time
16 ah, I ah, this was a terrible thing. You know,
17 I didn't have any problems with Mr. Mabry, as a
18 person. I respected him on the job and I feel
19 terrible that I -- that I would do this to
20 anybody and especially to him. I mean, somebody
21 I knew ah, and you know what -- you -- you think
22 back and you realize all the different things
23 you've done in your life, and some of them are
24 just ones that you face everyday, and you -- you
25 it's -- I'm -- I'm very sorry, very sorry.

26 **ATTORNEY HALL:** Now your religious faith
27 and religious studies, have those helped you in

1 your substance abuse ah, fight or sobriety,
2 keeping sobriety and helping you to stay -- to--
3 to have better judgment.

4 INMATE PATTERSON: I -- I think that they
5 play a role, even the 12 Step Programs, AA and
6 NA are -- are God centered, you know, higher
7 power programs, so I think, you know, God does
8 play a role, but ah, it's -- it's our
9 determination, you know, we -- we live here in
10 the free world and ah, it's our choice to do
11 things, you know ah, I believe that God supports
12 us and is there to help us but ah, you know, you
13 see too many people that sit there and they, you
14 know, and they were going to church and leading
15 a God fearing life and then all of a sudden,
16 they're using drugs and committing crimes, so,
17 you know, if you -- if the person doesn't have a
18 determination to stay off the drugs, ah, God or
19 I don't think anybody can help them. But I do
20 believe God's there to support us when we make
21 the decisions to do it. So, I think it helps.

22 ATTORNEY HALL: Thank you, no further
23 questions.

24 PRESIDING COMMISSIONER BRYSON: Then I'd
25 like to invite the District Attorney to make the
26 closing statement.

27 DEPUTY DISTRICT ATTORNEY CHRISOPOULOS:

1 Thank you.

2 PRESIDING COMMISSIONER BRYSON: A hum.

3 DEPUTY DISTRICT ATTORNEY CHRISOPOULOS:

4 In looking at this offense, which happened
5 approximately sixteen years ago, one sees a
6 great amount of sophistication, planning,
7 premeditation, which occurred in this crime.
8 And what's ironic is, in looking at, the
9 inmate's statement about the crime over the
10 years, it has changed. What was presented at
11 trial and what the jury found the inmate guilty
12 off, is the fact that this inmate, because of
13 whatever sort of work dispute, or problems he
14 had at the time with Mr. Mabry, became angry,
15 became obsessed with killing Mr. Mabry. And one
16 of the things significant which came out in the
17 trial, and as evidenced in the Probation Report,
18 is the planning that took place. Approximately
19 one week before this shooting, the inmate went
20 to the target range and practiced firing this
21 particular rifle. When he practiced firing this
22 rifle with his neighbor, he made the statement
23 to his neighbor, this is what I ought to do to
24 Matt. This is what I ought to do to the victim;
25 making these statements a week before this
26 incident. He further made these threats to his
27 wife at the time that he became upset, that I'm

1 really -- I'm going to kill Matt Mabry and that
2 she didn't take him seriously. Leading up to
3 the shooting, the day before, this inmate
4 followed and stalked Mr. Mabry, from his
5 workplace. And fortunately, on that particular
6 date, Mr. Mabry was able to allude him and the
7 inmate does admit, in the Probationary Report,
8 that he did try going after him, the day before.
9 What it also shows, is in looking at the
10 inmate's statements, in the Probationary Report,
11 the inmate states and puts much of the blame on
12 the fact that he did not receive a fair trial.
13 That he should not have been convicted of
14 attempted First Degree Murder. That he only
15 tried to scare the victim, at this time. He
16 also mentions in this Probationary Report and he
17 tells us, ah, today, that he did stop taking the
18 anti-depressant medication a few weeks before
19 the shooting. Yet when you look at that
20 statement and look at what he told the Probation
21 Officer, as far as, the jury should never have
22 convicted me because I was off my medication.
23 And if I had a good doctor as an expert, it
24 would have showed a -- a negating of my intent
25 to kill. Showing more planning, as far as not
26 only taking steps to commit this crime and to
27 kill Mr. Mabry, but also setting up the